IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

Bail Appl..No. 229 of 2007()

Crime No.68/06 of Traffic Police Station, Palakkad

: PETITIONER/ACCUSED

VINOD P.K.,
AGED 29 YEARS, S/O.KRISHNAN,
KALATHIL HOUSE, MANAKAR P.O., MANAKARA.

BY ADV. SRI.K.ANAND

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA REP.BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. SUB INSPECTOR OF POLICE,
TRAFFIC POLICE STATION,
PALAKKAD.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.229 of 2007

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Dated this the 11th January, 2007.

ORDER

Petitioner, who is the accused in Crime No.68 of 2006 of the Traffic Police Station, Palakkad for offences punishable under Section 238 and 338 I.P.C., seeks anticipatory bail.

2. Admittedly, the petitioner, on receipt of summons in C.C.No.138 of 2006 on the file of the J.F.C.M.-III, Palakkad, had appeared before that court on 19.6.2006 and 12.9.2006 on which dates there were no sittings. The petitioner was thereafter absent on 17.10.2006 and 2.12.2006 whereupon non-bailable warrants of arrest have been issued against him. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. But at the same time, I am inclined to grant the petitioner an opportunity to file an application for regular bail and have the same considered by the Magistrate after examining the explanation offered by the petitioner for his previous non-appearance. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of

preferably on the same date on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With this direction, this application is disposed of.

V.Ramkumar,
Judge.

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